

GARG & GARG

ADVOCATES
SUPREME COURT OF INDIA

Corp. Off: B-5/152, Safdarjung Enclave, New Delhi-110029.

Ph: 011-35691392, Mob: 9811109663

Email: gargandgargadvocates@gmail.com

File No. Legal Opinion/JFSPF/01/2024

Date: 10.09.2024

Justice for Srila Prabhupada Foundation,
P.O. Box 1119, Alachua,
Florida, 32616, USA.

Ref: Request to provide Legal opinion on Truth Lab's report no.TLB-AV-034-2021 dated 21 Nov. 21 on the forensic analysis of the audio recordings from Bhaktivedanta Archives.

Sub.: Legal Opinion.

Dear Mr. Naveen Khurana,

We have carefully examined the above referred Truth Lab's report on the forensic analysis of the audio recordings from Bhaktivedanta Archives in the context of brief background and history of Srila Prabhupada, Founder ISKCON - A Bio-sketch as well as the facts and circumstances as stated in the books of The "Personal Ambition" series.

Our opinion to your questions is as follows:

- a. *Whether the said audio recordings, and the report of the Forensic experts can be seen and read in evidence in the Indian legal system?*

As per the old Indian Evidence Act, 1872 (amended up to date) as well as new Evidence Act which is now called 'Bhartiya Sakshya Adhinyam, 2023' (which came in effect from 1st July 2024), the audio recordings/tape recordings are considered as electronic records and the same are admissible in evidence in the courts in India. Further, the Information Technology Act, 2000 also considers the audio recordings as electronic record which can be read in evidence. Similarly, the Indian Evidence Act (old and new) considers the Opinions of Forensic experts as a relevant fact and the same are legally admissible in evidence in the courts. **So, our opinion is that the audio recordings as well as the report of Forensic experts/Truth Lab can be seen and read in evidence by the courts in India.**

- b. *What is the significance of the said audio recordings/forensic report as an evidence in the context of the death of Srila Prabhupada and whether the said audio recordings/forensic report can be helpful in seeking criminal investigation against the culprits for killing Srila Prabhupada?*

The enhanced audio recordings and the transcripts clearly establish four material facts which lead to the inference that Srila Prabhupada was poisoned:

- i. In his last days in 1977, Srila Prabhupada shared his apprehension with the caretakers/attendants that he was being poisoned.
- ii. His caretakers/attendants accepted the possibility of Srila Prabhupada being poisoned.
- iii. The caretakers/attendants took this poisoning issue very casually. Instead of taking steps like checking his food, drinks and medicines; get his blood and urine sample tested by some lab; get him medically examined by some reputed doctor and/or reporting the matter to police, the caretakers/attendants were more eager in asking Srila Prabhupada as to who will poison him, and whether he knows who was poisoning him etc., and except gossiping about stories of poisoning of acharyas, gurus and other people in the past, they did nothing to address the poisoning concerns raised by Srila Prabhupada.
- iv. Some of the caretakers/attendants not only whispered about poisoning but it also appears from their whispering that they mixed poison in the milk which was then administered to Srila Prabhupada.

Besides the above, the forensic report by Truth Lab also identifies the voices of the key caretakers/attendants who were identified as Tamal, Bhavananda, Bhakticharu, Jayapataka and Kaviraj, and they are clearly the suspected persons who can be involved in poisoning Srila Prabhupada as per the audio recordings.

Further, the audio recordings of the last days of Srila Prabhupada and the Forensic examination of the same **corroborate** the overwhelming evidence relating to the hair sample analysis by Dr. Morris, which was later evaluated and interpreted by the Truth Lab indicating the poisoning of Srila Prabhupada by heavy metals like Cadmium and Arsenic and about their levels, which were so abnormally high that the same were sufficient to cause his death.

Therefore, we are of the firm opinion that the enhanced audio recordings and the forensic report on the same are a vital piece of evidence, and can be helpful (along with other evidences discussed above) in initiating criminal investigation against the culprits, who were involved in committing the heinous crime of poisoning Srila Prabhupada and to unravel the larger conspiracy behind this.

Thanking you,

Yours truly,



(Ajay Garg)
Advocate